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March 20, 2009

VIA ECF and Facsimile

The Honorable A. Kathleen Tomlinson
United States District Magistrate Judge
United States District Court
Eastern District of New York
Long Island Courthouse
100 Federal Plaza
Central Islip, New York 11722

Re: Kevin Hughes and Allison Hughes v. Bank of America, N.A.
successor by merger to Fleet National Bank; Trans Union, LLC
and NCO Financial
Docket No.: CV 08 0883 Bianco, J./Tomlinson, M.J.

Dear Magistrate Judge Tomlinson:

We represent Bank of America N.A. ("Bank of America") in this matter. This letter follows up on our March 19, 2009 letter advising the Court of the parties' progress with discovery and requesting that plaintiffs' motions to compel be held in abeyance pending the March 23, 2009 conference.

Bank of America requested plaintiffs' consent to the motions being held in abeyance on March 19th. Plaintiffs' counsel refused to advise whether plaintiffs consented claiming that he was not sure whether he had authority to consent. Bank of America's response to plaintiffs' motion to compel relating to their document requests is currently due today. Although Your Honor denied plaintiffs' motion to compel relating to their interrogatories, plaintiffs will likely

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refile prior to the March 23rd conference. No previous requests that plaintiffs' motions be held in abeyance have been submitted.

Respectfully Submitted,

/s/Thomas E. Stagg

Thomas E. Stagg (ts-0662)

cc: Joseph Mauro, Esq. (via ECF and Facsimile)
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